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CARDS

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MINERAL LANDS.

Annexed we publish a circular letter of the Commissioner of the General Land Office, relative to Mineral Lands:
DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., July 15, 1873.

GENTLEMEN:—I had under consideration a number of letters, mostly from California, wherein inquiries are made as to the proper course to pursue to obtain title to public lands containing valuable deposits of borax, carbonate and nitrate of soda, sulphur, alum, and asphalt. Among them is one from the Nevada Consolidated Borax Company, from which it appears that this company intends to commence the utilization of the alkaline plains of Nevada.

The first section of the act of Congress approved May 10, 1872, reads as follows: "That all valuable mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found to occupation and purchase." &c.

The second section declares "that mining-claims upon veins or lodes of quartz, or other rock, in place bearing gold, silver, copper, lead, tin, or other valuable deposits, heretofore located," &c.

The sixth section refers to "a patent for any land claimed and located for valuable deposits."

It will be observed that in the first section of the act the expression "valuable mineral deposits" is employed, while in the second and sixth sections the language is, "valuable deposits." Allowing, however, that it was the intention of the law makers by this act to dispose of "valuable mineral deposits," the question becomes this, "What is valuable mineral deposit?"

The meaning of the word valuable need not be discussed. Anything a person is willing to give money for, or that is useful or precious, or that has merchantable qualities, is valuable.

The word deposit has always been construed by this Office to be a general term embracing veins, lodes, ledges, placers, and all other forms in which valuable metals have ever been discovered.

In the sense in which the term mineral was used by Congress, it seems difficult to find a definition that will embrace what mineralogists agree should be included. The several authorities consulted in this connection seem to find it an easier task to determine what is not, than what is, mineral. However, in all the works on mineralogy that have come under my notice, borax, nitrate and carbonate of soda, sulphur, alum, and asphalt are classified and discussed as minerals.

Alger's edition of Phillips's Mineralogy speaks of "the crust of the globe as consisting chiefly of earths and earthy minerals." Between earths and minerals there is a clear line of demarcation, and, though difficult to express in a few words, chemical composition and crystallization are the

principal means of tracing the distinction. Webster seems to be the most accurate in his definition of a mineral, for he recognizes chemical composition as the important consideration. He defines a mineral to be "any inorganic species having a definite chemical composition."

From a careful examination of this matter, the conclusion I reach as to what constitutes "valuable mineral deposit" is this: That whatever is recognized as a mineral by the standard authorities on the subject, where the same is found in quantity, and quality to render the land sought to be patented more valuable on this account than for purposes of agriculture, should be treated by this Office as coming within the purview of the mining act of May 10, 1872.

The language of the statute is so comprehensive, and capable of such liberal construction, that I cannot avoid the conclusion that Congress intended it as a general mining law, "to promote the development of the mining resources of the United States," and to afford a method whereby parties holding the possessory right under local laws and regulations could secure title to tracts containing valuable secretions or deposits of mineral substances, except where special law might intervene, reserving from sale, or regulating the disposal, of particularly specified mineral-bearing lands.

In the several inquiries in the letters referred to, I therefore reply that lands valuable on account of borax, carbonate of soda, nitrate of soda, sulphur, alum, and asphalt, as well as "all valuable mineral deposits," may be applied for and patented under the provisions of the mining act of May 10, 1872.

In case an application should be presented to you for a survey of land valuable for other minerals than those specified herein and in the act itself, you will first refer the question to this Office, in order that applicants may be saved the expense of applying for lands that may be reserved by special act of Congress.

It will be observed that the mineral-producing lands are divided into two classes:—the one class embraces lands where the mineral matter is within "rock in place," or, geologically speaking, "in situ"; and the second includes placers and all forms of deposits excepting those "in rock in place."

In this connection, I deem it a matter of importance to give the construction this Office places upon the expression, "vein or lode of quartz or other rock in place," to prevent mistakes in locating the two classes of mines referred to, thereby saving to claimants considerable expense in delay.

In geology and among miners, veins or lodes imply generally an aggregation of mineral matter found in the fissures of the rocks which inclose it, but are of great variety, veins differing very much in their formation and appearance. Lode is a term in general use among the tin miners of Cornwall, and was introduced on the Pacific coast by emigrants from the Cornish mines, and signifies a fissure filled either by metallic or earthy matter.

In several of the mining districts the terms lode and ledge are employed in the local regulations concerning mines. Lode is used to convey the same idea as lode, while ledge would seem to indicate a layer or stratum of mineral interposed between a course or ridge of rocks.

Veins may be either sedimentary, plutonic, or segregated, or of infiltration or attrition, depending upon the peculiar formation of the mode of occurrence of the mineral deposit. There is also another form of deposit different from either of those mentioned above, called *conglutoid deposit*.

Every one who has seen a *conglutoid deposit*, called in England "flint," in Germany "Stuckwerke," and a term of deposit known as "Fallbank." These latter are more properly speaking, ore-bearing belts, irregular in their dimensions, but presenting a certain degree of parallelism with each other. Similar in some respects to the "Fallbank" are the *malpais* zones, or "amalgamated lands," which are said to exist on Mount Lincoln and Mount Bross, Colorado.

However, if the question were raised, whether of the forms of deposit known as *conglutoid deposit*, *Fallbanks*, or segregated veins could be accepted as true *metalliferous veins*, nor could it frequently be made to appear, without expensive excavation, whether the metal in the mine for which a patent is sought occurs in the form of a true vein or not.

But there is no reason for supposing that the terms were employed in their strict geological significance. The plain object of the law is to dispose of the mineral lands of the United States for money value, and whatever form of deposit can be embraced in the general phrase "vein or lode of quartz, or other rock in place," must be sold at the rate of five dollars per acre.

It is evidently the policy of the Government to include as much land as possible under this designation, for the reason that, as the most valuable metals and minerals occur in the several vein formations, it is desirable that the lands wherein they are discovered should be sold in limited quantities, thereby preventing the few from monopolizing large tracts, which ought to remain open to all for exploration and development; and for the further reason that the Government derives a larger revenue from the sale of lands of this description.

In this, I include in the first class all lands wherein the mineral matter is contained in veins or lodes occupying the original habitat or location of the metal or mineral; whether in true or false veins, in zones, in pockets, or in the several other forms in which minerals are found in the original rock, whether the gangue, or matrix, is disintegrated at the surface or not.

You will please give publicity to this communication where it can be done without expense to the Government.

Very respectfully, your obedient servant,
WILLIS DEBENOM,
Commissioner.

TO SURVEYORS, ENGINEERS AND REGISTER AND RECEIVERS.

THE PADRE MINE.

The following is a true history of the so-called Padre Silver Mine, "near El Paso, Texas," as published in the *El Paso Sentinel* of the 2d inst.

1680 was the year the monks of the order of St. Francis, who were in charge of the church at El Paso, discovered this mine. Skilled in the science of mineralogy they were not slow to discover the extraordinary richness of the vein, and their knowledge of the art of metallurgy enabled them to work it profitably for many years. From the silver obtained from this mine, most of the churches in northern Chihuahua were enriched and endowed.

The order of which Ignacius Loyola was the founder was never friendly to the Franciscans. So, when in the early part of the eighteenth century, the order of Jesuits obtained complete control in Spain it was not long ere the bare footed Franciscans were ordered to depart from Mexico, and surrender their rich possessions to the dominant Jesuits. When information of the coming change reached our monks at El Paso, they quietly covered the mine before us and obliterated as near as possible all traces of its existence. Years passed on, the Jesuit Fathers, if they had learned the secret of the silver treasure, never availed themselves of it. In July 1793 the mine was again opened, and worked for several years by a company of Mexican gentlemen, amongst whom was the father of our old and esteemed friend Don Guadalupe Miranda. The works for the reduction of the ores were situated near the river banks not far from where the Overland Building now stands. The revolution of 1824, followed by the declaration and establishment of Mexican Independence, again interrupted the working of the mine, and it was a second time filled up and abandoned.

The history of the mine having been learned from the church records and other sources, several gentlemen in El Paso, prominent among whom is Judge S. B. Newcomb, determined to re-open it. This was done last winter at considerable expense; a shaft was sunk 90 feet through the material that had been used to fill up the mine and which, from lapse of time, had become almost as firmly cemented together as the original soil. Although the main lode is not yet reached, the ores that have been taken out during the progress of excavation prove to be unusually rich. We are indebted to Doctor Carpenter, who came from California just to search for this very mine, and who found it being worked when he arrived here, for a description of the lode. It is situated at the southern point of the Organ mountains, here about 1,500 feet high and a half mile from the City of El Paso, and is a lode or vein of black chloride of silver, containing sulphurets, the outcropping about forty feet wide. This immense lode or vein, runs north and south, dipping to the west at an angle of 45°.

The silver lode lays in a bed of old red sandstone, and the overlying face rock is igneous with traces of iron in it. There can be no doubt that this lode is immensely rich. Judge Newcomb's party have located a 320 acre certificate on the main lode, and Dr. Carpenter and Captain French have located the extension. Having passed a couple of hours in examining the vein, the party returned to the City, well pleased with their excursion, and well satisfied that we have within sight of our city a silver mine that will rival any on the face of the globe.

ANOTHER INDIAN RAID.

On the 25th of July a band of Mesquero Apaches, from the government reserve in New Mexico, attacked the Pecos mail station. They killed Juan Chivari, the herder, and drove off all the mail stock, thirteen mules and one horse.

These raids have come to be of so common occurrence as to scarcely excite comment, and so long as the government maintains, under the name of Indian Reservations, places of refuge for thieves and murderers, just so long will a mercenary citizen be murdered and plundered. These reserves have come to be nothing less than nests of villainy, where savage Indians are armed and rationed and sent out to prey upon peaceable citizens, and where they find a ready market for their plunder and immunity from punishment for their crimes.

Let any citizen who has been plundered by one of these thieving bands, follow the trail to a U. S. reserve; find his property; identify and demand it and what follows? Will it be returned to him? Not at all! It might excite the gentle savage and make him "mad" if any attempt were made to take from him the fruit of his raid. So the poor settler who is so unfortunate as not to be a "ward of the nation," is referred to the circumlocution office at Washington for redress, which he may possibly get when the millennium arrives.

The war between civilization and barbarism on this frontier must be an unequal one, so long as the government persists in its present policy, that in effect protects the barbarous Indian in his raid on the peaceable citizen, and thereby offers a premium for murder and robbery. The only remedy is to give the War Department full control over Indian affairs. This done, our troops unarmassed by peace commissionaries will soon put an end to Indian raids.—*El Paso Sentinel*.

The work of excavating the tunnels under the rocks at Hell Gate was completed to-day, and the workmen are now engaged upon the galleries. The tunnel extends under the sound a distance of 250 feet, or one quarter of the way across the channel. It will be two years before the work will be completed and the bottom of Hell Gate blown out.

A number of miles that had been lowered by derricks are employed in their submarine lives. The cost of the work is now estimated at \$4,000,000.

LAW RELATING TO NEWSPAPER SUBSCRIPTIONS AND ARREARAGES.

1. Subscribers who do not give express notice to the contrary, are considered wishing to continue their subscription.

2. If subscribers order the discontinuance of their periodicals, the publishers may continue to send them until all arrearsages are paid.

3. If subscribers neglect or refuse to take their periodicals from the office to which they are directed, they are held responsible until they have settled their bills, and ordered them discontinued.

4. If subscribers move to other places without informing the publishers, and the papers are sent to the former direction, they are held responsible.

5. The Courts have decided that "refusing to take periodicals from the office, or removing and leaving them uncalled for, is prima facie evidence of intentional fraud."

6. Any person who receives a newspaper and make use of it, whether he has ordered it or not, is held in law to be a subscriber.

7. If subscribers pay in advance, they are bound to give notice to the publisher, at the end of that time, if they do not wish to continue taking it; otherwise the publisher is authorized to send it on, and the subscribers will be responsible until an express notice, with payment of all arrears, is sent to the publisher.

[From the Albuquerque Review.]
ANOTHER SHOOTING AFFRAY.

On Monday last a sad occurrence happened near Los Lunas, W. C. Franks and A. O. Wilburn, both wealthy cattle dealers of Lincoln county had a dispute about the settlement of accounts. Nothing serious happened at the time but it seems there was some old grudge existed between them, which added fuel to the fire in the present case, and caused Franks to seek the death of Wilburn. Accordingly after sun down Franks armed with a Spencer rifle sought for and shot Wilburn in front of Fanning's store. One report says he was escoted behind an adobe wall when he fired and another that he climbed the wall and then fired. Franks then sought safety in flight and has not since been heard of. Wilburn is dangerously wounded, the ball having passed through his arm and the lower part of the body. At first it was thought he could not live many hours, but late reports say he is better and may possible recover.

A private letter from the mines in the Magdalena mountains, says:
The Messrs. Baker have sold their furnace to Mr. Emerson, who is engaged in erecting another furnace, on the reverse rotary plan, on the Baker millsite. Mr. Emerson has entered into a contract with Mr. J. S. Hutchinson for two thousand tons of ore from his leads. Brown is running his furnace at Ojo de la Jara, on ore from the "Little Fanny." Way, Marsh and Hass, are running out from a ton to a ton and a half of metal daily, with their cupola furnace. "Pony" Whitmore has purchased a one-twelfth interest in the big copper lead at Canon del Agua.

Before the war there lived on a plantation near Lynchburg an old colored preacher, whose sermons were truly remarkable. One day his master, who happened to be passing, paused to listen to him as he discoursed to his fellow-servants. His subject was, "Hell and its horrors," which he described in terrible terms, declaring that there was "whipping and whaling, and snatching out of teeth." He then proceeded, with a touch of Dantean vigor, to tell his hearers that hell was a region of fearful cold, where ice and cold covered all things, and where freezing was the favorite punishment. "Why, Caesar," said his master, next time they met, curious to learn why the preacher differed so strongly from the usually accepted theory of the infernal regions. "What makes tell you my servants that hell is cold place?" "Masses, I don't dare to tell them people nothing else! Why, if I was to say that hell was warm, some of them old rheumatic niggers would be wanting to start down that the very first frost."

How to HARDEN STEEL DRILLS.—It is not generally known that steel can be made so hard that it will pierce any known substance but a diamond. Many jewelers and lapidaries have great trouble in getting the points of their drills hard enough to pierce an emerald. For the benefit of miners and others using drills that require a hard point, we recommend the following manner of manipulation. The drills should be held if small, by hot pinchers or tongs, while tempering; first heat the tool to a white heat, and press it into stick of sealing wax; leave it but a second there, and then stick it into the wax in another place. This operation is rapidly repeated until the graver is too cool to enter the wax. In turning or drilling, the tool is moistened with oil of turpentine.

A country clergyman, paying a professional visit to a dying neighbor, who was a very cheerful and universally unpopular man, put the usual question: "Are you willing to go, my friend?" "Oh! yes," said the sick man, "I am." "Well," said the simple minded minister, "I am glad you are for the neighbors are willing."

The wife of an Irish gentleman being taken ill, the husband ordered a servant to get a horse ready to go for a doctor. By the time, however, the horse was ready, and the note to the doctor written, the lady had recovered; on which he added the following postscript and sent the servant off: "My wife having recovered, you need not come."

CLIPPINGS.

A stitch in the side saves nine—in a horn.

A circuit court.—The longest way home from a singing school.

Some strange disease is said to be taking off horses in Florida. They call it thieves in Texas and apply hemp.

Never devour your wife or any body else's with kisses. Dainties and delicacies will sour on a fellow sometimes.

Loafers around a printing office are like the entrance to a barn, with this slight difference—one is a barn door and the other is a darn bore.

Two business partners in Cincinnati liked each other's wife so well that they both divorced and remarried, and now live as happy as can be.

One profession, says Punch, is safe from the invasion of woman. She may enter the army, but it is impossible that she can man the navy.

A New Albany, Indiana, man who killed a neighbor the other day in a fracas, has presented his widow with two bushels of new potatoes, and everything is satisfactory.

"Mary, go into the sitting room, please, and tell me how the thermometer stands." Mary (after the investigation): "It stands on the first mantelpiece, just again the wall, mem."

Somebody tells a story of a steam boat passenger watching the revolving light of a lighthouse on the coast and exclaiming, "Gosh! the wind blows that light out as fast as the man can strike it."

A sentimental editor says. "It is comforting to know that one eye watches fondly for our coming, and looks brighter when we come." A contemporary is grieved to learn that his "brother of the quill has a wife with only one eye."

An attorney, about to finish a bill of costs, was requested by his client, a baker, to make it as light as he could. "Ah!" replied the attorney, "that's what you may say likely to your foreman, but it's not the way I make my bread."

Several passengers on the Lower Mississippi were attracted by the alligators basking in the sunshine. "Are they amphibious, Captain?" asked a looker on. "Amphibious, h—!" answered the enthusiastic officer, "they'll eat a hog a minute."

The patent churn is the latest item created yet produced in the boundless West. A little girl at Clinton, Wis., was recently caught in the gearing of one of these implements, and ere she could be rescued looked as if she had been spanked with a currycomb.

A Baptist paper in Ohio was sent for nine years to a subscriber who never paid a cent for it. The other day the paper was returned to the patient and long suffering publisher with the affecting pencil note on its margin: "Gone to a better world." The editor is a very pious man, but it is reported that his faith is terribly shaken in regard to the accuracy of the information.

A writer in the *Fortnightly Review* for June sums up Mr. Fitzjames Stephen's theology in this little story: The master of a workhouse in Essex was once called in to act as chaplain to a dying pauper. The poor soul faintly murmured some hopes of heaven; but this the master abruptly cut short and warned him to turn his thoughts towards hell. "And thankful you ought to be," said he, "that you have a hell to go to."

J. B. Collier, near Fort Union, manufactures the best soap in N.M.